October 17, 2011 ***EX PARTE* NOTICE**

VIA ECFS

Ms. Marlene Dortch
Secretary
Federal Communications Commission
445 12th St., S.W.
Washington, D.C. 20554

Re: Connect America Fund, WC Docket No. 10-90
A National Broadband Plan for Our Future, GN Docket No. 09-51
Establishing Just and Reasonable Rates for Local Exchange Carriers,
WC Docket No. 07-135
High-Cost Universal Service Support, WC Docket No. 05-337
Developing a Unified Intercarrier Compensation Regime,
CC Docket No. 01-92
Federal-State Joint Board on Universal Service, CC Docket No. 96-45
Lifeline and Link-Up, WC Docket No. 03-109

Dear Ms. Dortch:

On October 13, 2011, Mark Iannuzzi, President of TelNet Worldwide, Inc., and the undersigned had three separate meetings at the FCC. The first meeting was with Albert Lewis and Jennifer Prime of the Wireline Competition Bureau and Michael Steffen, Special Counsel, Office of the Chairman. The second meeting was with Christine Kurth, Policy Director and Wireline Counsel to Commissioner Robert McDowell. The third meeting was with Angela Kronenberg, Wireline Legal Advisor to Commissioner Mignon Clyburn.

During each of these meetings the participants discussed:

- the need for the FCC to clarify, *at this time,* that IP-to-IP interconnection falls under 251(c) of the Act. Specifically, the participants discussed the refusal of ILECs to negotiate IP-to-IP interconnection provisions in Interconnection Agreements because they did not believe they had any legal obligation to do so. If the Commission is reluctant to classify any VoIP service at this time, the participants encouraged the Commission to seriously consider permitting IP service providers to voluntarily certify to the FCC that their provision of managed voice services is a telecommunications service and either telephone exchange service or exchange access for purposes of Section 251(c)(2).

- the need for the FCC to allow more time for CLECs to transition from intrastate rates to interstate rates. Specifically, the participants pointed out that a 2009 Michigan law (2009 PA 182) permitted such a transition through 2015 and any preemption by the FCC resulting in a shorter period of time would seriously disrupt business plans and investments that were put in place at that time.

- the need for *any qualified provider* to have equal access to USF funds and the unfairness in establishing a first right of refusal for incumbent carriers.

- the need for a unified interstate, intrastate and local access fee structure for the transport and termination of all traffic be based upon state administered reciprocal-compensation cost studies and that rate base should be independent of technology, simple and economically based, factoring in subscriber access line fees and other recoveries.

Finally, the attached handout was distributed at each meeting. Please do not hesitate to contact me if you have any questions regarding this submission.

Respectfully submitted,

/s/ John R. Liskey____

John R. Liskey
Executive Director

attachment
cc (via email)
Albert Lewis
Jennifer Prime
Michael Steffen
Christine D. Kurth
Angela Kronenberg

MICHIGAN INTERNET & TELECOMMUNICATIONS ALLIANCE

I. Remove the cloud over the provision of voice managed services.

FCC confirmation that voice managed IP-to-IP interconnections fall under 251(c) of the Act will speed the transition for next generation interconnection agreements. RBOCs must not be allowed to relegate competitors to TDM interconnection or require that they surrender competitive protections provided by the Act in order to obtain a state-of-the-art packet based interconnection arrangement. The provision of managed voice services must have the same regulatory safeguards as TDM interconnection in order to create a level playing field in which CLECs are incented to invest and where competition will flourish.

II. Implement a unified rate structure with cost-based reciprocal compensation.

A unified interstate, intrastate and local access fee structure for the transport and termination of all traffic based upon state administered reciprocal-compensation cost studies. Rate base should be independent of technology, simple, and economically based.

III. Insure CLECs have a proper transition period to adjust rates and structure.

In 2009, the Michigan legislature required intrastate access rates to equal interstate rates. CLECs were permitted an additional 4 years (through 2015) to gradually reduce their intrastate access rates in equal increments. (see Michigan Commission Comments in this docket). The FCC should treat CLECs with the same sensitivity as the Michigan legislature did so as to not disrupt business plans that were put in place to expand broadband and telecommunications competition.

IV. All providers should have equal access to USF support.

Michigan CLECs support the goal of distributing universal service support to geographic areas where there has been "no private sector business case" for broadband deployment. Michigan CLECs have led the way for such broadband deployment in rural areas. We are working with the "Connect Michigan" effort to expand broadband throughout the state. Additionally, Michigan CLECs have partnered with MERIT on the REACH-3MC project and received a stimulus grant for deploying 2,300 miles of fiber optics to rural and underserved communities throughout Michigan.

The USF bidding processes should be carrier neutral as well as technology neutral. *Any qualified provider should be eligible to apply for support!* The FCC should reject the ABC provision creating a first right of refusal for incumbent providers seeking USF support. Those providers (CLECs) that have already demonstrated significant investment and risk should have equal opportunity.